

AUG 17 2005

PATENT CASE: CN01538K1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE-----X
In re Application of: **Pissarnitski et al.** :

Examiner: Paul V. Ward

For: **Novel Gamma Secretase Inhibitors** :

Group Art Unit: 1623

Serial No.: **10/663,042** :Filing Date: **09/16/2003** :
-----XCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**Terminal Disclaimer**

Sir:

The owners, Schering-Plough Corporation and Pharmacoepia Drug Discovery, Inc., of 100 percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/358,898, filed on February 5, 2003, of any patent on the pending second application. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is

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reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

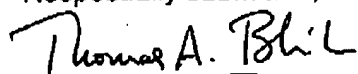
Petitioners are the owners of 100% interest in the instant application by virtue of assignments to Schering Corporation and Pharmacopela Drug Discovery, Inc. from all co-inventors which were recorded on March 8, 2005 and March 18, 2005 in the U.S. Patent and Trademark Office at Reel 016372, Frame 0527 and Reel 016371, Frame 0587, respectively.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned Attorney of Record states that he is empowered to act on behalf of the petitioner.

The U.S. Patent and Trademark Office is hereby authorized to charge the \$130 fee under 37 C.F.R. §1.20(d) for the present Terminal Disclaimer to charge account 19-0365.

Respectfully submitted,



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August 17, 2005
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